

## **OSDM/Services/Referrals Committee**

OSDM=Office of Substitute Decision Maker which is located in Iowa Code 231E

### **Notes from 10/2/2013 Meeting**

**Attendees:** Larry Kudej, Aubury Krueger, Bill Nutty, Lori DeVries, Chantelle Smith, Paige Thorson and Deanna Clingan-Fischer

**Handouts:** Iowa Code 236 and 231.56; Information on Family-Life Homes; 2 legislation drafts from last session

#### **I. OSDM--Options**

- a. Ask for full funding of Iowa Code 231E.
- b. Different ways of introducing the issue, such as an incremental implementation?

#### **A. Comments:**

Research---all the programs are underfunded so we should ask for the funding we feel is needed

Is there an economic impact that can be shown by having an OSDM available? Have no specific data to show that this will save the state dollars but do feel that it will save Medicaid dollars as individuals will be placed in appropriate levels of care in a timely fashion.

Good argument for support is that it can generate funds

Is there data from when the OSDM existed that show the benefit of the Office?

Set up as a pilot/demonstration project?

Set up at a state level; fund but cap the amount of cases to take with demonstration project

Elevator speech to share what the OSDM will do:

Serving as SDM

Training—could defer by working collaboratively with other partners

Education

Interventions

#### **B. Proposed language for legislation:**

**1. Appropriation.** Substitute Decision Maker **Services**---Appropriation. There is appropriated from the general fund of the state to the department on aging for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount or so much thereof as is necessary for the purpose designated:

To administer substitute decision maker services including the state office and the statewide network of local offices in each of the planning service areas designated pursuant to section 231E.4, in accordance with the funding projections and implementation schedule specified in the report submitted by the department in December 2013. (NEED TO DETERMINE the costs if established incrementally.)

It is the intent of this bill that the state appropriation will be augmented by other sources and fees through cost sharing. NEED: to have a discussion on the amount projected to bring in. For example: if serve as payee can bring in up to \$39 a month

**2. Changes needed in Code.**

- a. 231E—Possible name changes: Substitute Decision Maker Services; Office of Public Advocacy; Statewide Public Guardianship; Protective Services Guardianship Program. (Preference: SDM Services)
- b. Current language in 231E states that the state and local offices will be in place by July 1, 2015 (231E.4a). This will not be possible so will need to change the date.
- c. 17 IAC 22---change the ratio. Currently and SDM can serve 10 clients (are some exceptions)

**C. Under 231E what is required to implement:**

- 1. Administrator—serve as state SDM (working administrator) 98,252
- 2. One Program staff (this is a may/not shall) 79,368
- 3. Office Administration 11,177 which does not include the costs to actually serve as an sdm (like software costs)
- 4. Legal fees—filings \$2,000 per case (initial) Cost for annual reports? (around \$10 for annual report)
- 5. Local office—money to serve as sdm through contract (like public defender pay at a state rate). Would need to ensure bonding and liability insurance
- 6. Monitor local offices once established
- 7. Referrals and protocol
- 8. Data collection
- 9. Training of judicial council
- 10. Interventions—referred to AG office?? (may/not shall)
- 11. Court required appointments—referral system for the provision of services